



# राजपत्र हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, शनिवार, २७ मई, १९९५/६ ज्येष्ठ, १९१७

हिमाचल प्रदेश सरकार

विधि विभाग

अधिसूचना

शिमला-२, २७ मई, १९९५

संख्या-एल० एल० आर०-डी० (६)३/९५.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद २०० के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए तारीख २५ मई, १९९५ को अनुमोदित हिमाचल-प्रदेश नगर और ग्राम योजना (संशोधन) विधेयक, १९९५ (१९९५ का ३) को १९९५ के हिमाचल

प्रदेश अधिनियम संख्यांक 7 के रूप में संविधान के अनुच्छेद 348 (3) के अधीन उसके प्राधिकृत पाठ सहित, हिमाचल प्रदेश राजपत्र में प्रकाशित करते हैं।

आदेश द्वारा, }

कुलदीप चन्द सूद,  
सचिव।

1995 का अधिनियम संख्यांक 7.

हिमाचल प्रदेश नगर और ग्राम योजना (संशोधन) अधिनियम, 1995

(राज्यपाल द्वारा तारीख 25 मई, 1995 को यथा अनुमोदित)

हिमाचल प्रदेश नगर और ग्राम योजना अधिनियम, 1977 (1977 का 12) का और संशोधन करने के लिए अधिनियम ।

भारत गणराज्य के छियालीसवें वर्ष में हिमाचल प्रदेश विधान सभा द्वारा निम्नलिखित रूप में यह अधिनियमित हो :—

1. इस अधिनियम का संक्षिप्त नाम हिमाचल प्रदेश नगर और ग्राम योजना (संशोधन) अधिनियम, 1995 है । संक्षिप्त नाम

1977 का  
12.

2. हिमाचल प्रदेश नगर और ग्राम योजना अधिनियम, 1977 (जिसे इसमें हमें धारा 2, पश्चात् मूल अधिनियम कहा गया है) की धारा 2 के खण्ड (n), धारा 48, धारा 50, धारा 52 और धारा 64 में, "the Chief Executive Officer" शब्दों के स्थान पर "the Chief Administrator" शब्द रखे जाएंगे । धारा 2, 48, 50, 52 और 64 का संशोधन ।

3. मूल अधिनियम की धारा 42 के स्थान पर निम्नलिखित धारा रखी जाएगी, अर्थात् :— धारा 42 का प्रतिस्थापन ।

"42. *Constitution of Town and Country Development Authority.* —

(1) Save as provided in section 42-A, every Town and Country Development Authority shall consist of the Chairman and other members not exceeding twelve to be appointed by the State Government :

Provided that, whenever it is expedient to ensure the efficient performance of the functions assigned to the Town and Country Development Authority, the State Government may appoint one or more persons as its Vice-Chairmen and where more than one person is appointed as Vice-Chairman one of them shall be designated as Senior Vice-Chairman :

Provided further that the State Government may, if it considers it necessary so to do, constitute a single member Town and Country Development Authority.

(2) The Chairman, and in the absence of the Chairman the Senior Vice-Chairman, and in the absence of both the Chairman and Senior Vice-Chairman, the Vice-Chairman, shall preside over the meetings of the Town and Country Development Authority constituted under sub-section (1). The Senior Vice-Chairman and Vice-Chairman shall, in relation thereto, exercise such powers and perform such functions as the Chairman may assign to them."

धारा 43  
का संशोधन।

4. मूल अधिनियम की धारा 43 में —

- (क) उप-धारा (1) और (2) में, "Chairman", शब्द के पश्चात् "Vice-Chairman" अल्प विराम चिह्न और शब्द अन्तःस्थापित किए जाएंगे;
- (ख) उप-धारा (3) में, "Chairman", शब्द के पश्चात्, "Vice-Chairman" अल्प विराम चिह्न और शब्द अन्तःस्थापित किए जाएंगे।

धारा 44  
का संशोधन।

5. मूल अधिनियम की धारा 44 में —

- (क) उप-धारा (1) में, "a member under clause (b) of section 42", शब्द और अंग के स्थान पर "a Vice-Chairman or a member under section 42", शब्द और अंग तथा दूसरी बार आए शब्द "member" के स्थान पर, "Vice-Chairman or the member, as the case may be," शब्द रखे जाएंगे ;
- (ख) उप-धारा (2) में "any member", शब्दों के स्थान पर "any Vice-Chairman or any member" शब्द तथा "a member", शब्दों के स्थान पर, "a Vice-Chairman or a member, as the case may be," शब्द रखे जाएंगे; और
- (ग) उप-धारा (3) में, "the Chairman", शब्दों के स्थान पर "Vice-Chairman" अल्प विराम चिह्न और शब्द जोड़े जाएंगे।

धारा 45  
का प्रति-  
स्थापन।

6. मूल अधिनियम की धारा 45 के स्थान पर, निम्नलिखित धारा रखी जाएगी, अर्थात्:—

- "45. *Salary and allowances.*—(1) The Chairman shall receive such salary and allowances and shall be subject to such terms and conditions of service as may be prescribed.
- (2) The Senior Vice-Chairman, Vice-Chairman and members may be paid such allowances as may be prescribed."

धारा 46  
का संशोधन।

7. मूल अधिनियम की धारा 46 की उप-धारा (2) के स्थान पर, निम्नलिखित उप-धारा रखी जाएगी, अर्थात्:—

- "(2) Whenever the office of the Chairman falls vacant, on account of leave under sub-section (1), the Senior Vice-Chairman or whenever the offices of the Chairman and the Senior Vice-Chairman fall vacant, on account of leave, the Vice-Chairman shall act as the Chairman."

धारा 87  
का संशोधन।

8. मूल अधिनियम की धारा 87 की उप-धारा (2) के खण्ड (xv) के पश्चात् निम्नलिखित खण्ड (xv-a) जोड़ा जाएगा, अर्थात्:—

- "(xv-a) the rates at which, and conditions subject to which, the salary and allowances to be paid to the Chairman, Vice-Chairmen and members under Section 45;"

*AUTHORITATIVE ENGLISH TEXT*

ACT No. 7 of 1995.

**THE HIMACHAL PRADESH TOWN AND COUNTRY  
PLANNING (AMENDMENT) ACT, 1995**

(AS ASSENTED TO BY THE GOVERNOR ON 25TH MAY, 1995)

AN

ACT

*further to amend the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977).*

BE it enacted by the Himachal Pradesh Legislative Assembly in the Forty-sixth Year of the Republic of India as follows:—

1. This Act may be called the Himachal Pradesh Town and Country Planning (Amendment) Act, 1995. Short title

12 of 1977

2. In clause (n) of section 2, section 48, section 50, section 52 and section 64 of the Himachal Pradesh Town and Country Planning Act, 1977 (hereinafter called the principal Act), for the words "the Chief Executive Officer", the words "the Chief Administrator" shall be substituted. Amendment of sections 2, 48, 50, 52 and 64.

3. For section 42 of the principal Act, the following section shall be substituted, namely:— Substitution of section 42.

**"42. Constitution of Town and Country Development Authority.—**  
(1) Save as provided in section 42-A, every Town and Country Development Authority shall consist of the Chairman and other members not exceeding twelve to be appointed by the State Government:

Provided that, whenever it is expedient to ensure the efficient performance of the functions assigned to the Town and Country Development Authority, the State Government may appoint one or more persons as its Vice-Chairmen and where more than one person is appointed as Vice-Chairmen one of them shall be designated as Senior Vice-Chairman:

Provided further that the State Government may, if it considers it necessary so to do, constitute a single member Town and Country Development Authority.

(2) The Chairman, and in the absence of the Chairman the Senior Vice-Chairman, and in the absence of both the Chairman and Senior Vice-Chairman, the Vice-Chairman, shall preside over the meetings of the Town and Country Development Authority constituted under sub-section (1). The Senior Vice-Chairman and Vice-Chairman shall, in relation thereto, exercise such powers and perform such functions as the Chairman may assign to them."

Amend-  
ment of  
section 43.

4. In section 43 of the principal Act—

- (a) in sub-sections (1) and (2), after the word "Chairman", the sign comma and the word "Vice-Chairmen" shall be inserted;
- (b) in sub-section (3), after the word "Chairman", the sign comma and the word "Vice-Chairmen" shall be inserted.

Amend-  
ment of  
section 44.

5. In section 44 of the principal Act—

- (a) in sub-section (1), for the words and figure "a member under clause (b) of section 42", the words and figure "a Vice-Chairman or a member under section 42", and for the word "member" occurring for the second time the words "Vice-Chairman or the member, as the case may be", shall be substituted;
- (b) in sub-section (2), for the words "any member", the words "any Vice-Chairman or any member" and for the words "a member", the words "a Vice-Chairman or a member, as the case may be," shall be substituted; and
- (c) in sub-section (3), after the words "the Chairman", the sign comma and the word "Vice-Chairman" shall be added.

Substitu-  
tion of  
section 45.

6. For section 45 of the principal Act, the following section shall be substituted, namely:—

- "45. *Salary and allowances.*—(1) The Chairman shall receive such salary and allowances and shall be subject to such terms and conditions of service as may be prescribed.
- (2) The Senior Vice-Chairman, Vice-Chairman and members may be paid such allowances as may be prescribed."

Amend-  
ment of  
section 46.

7. For sub-section (2) of section 46 of the principal Act, the following sub-section shall be substituted, namely:—

- "(2) Whenever the office of the Chairman falls vacant, on account of leave under sub-section (1), the Senior Vice-Chairman or whenever the offices of the Chairman and the Senior Vice-Chairman fall vacant, on account of leave, the Vice-Chairman shall act as the Chairman."

Amend-  
ment of  
section 87.

8. After clause (xv) of sub-section (2) of section 87 of the principal Act, the following clause (xv-a) shall be added, namely:—

- "(xv-a) the rates at which, and conditions subject to which, the salary and allowances to be paid to the Chairman, Vice-Chairmen and members under section 45; "